



2004 Legislative Priorities

Expenditure of Proposition 13 Grant Funds
Lead Department: Storm Water Pollution Prevention

Background:

In 2002, the State Water Resources Control Board approved \$2,244,000 of Proposition 13 funds for the City of San Diego's Chollas Creek Water Quality Protection and Habitat Enhancement project (Project No. 02-166). The project proposes to remove concrete and restore natural habitat along several creek sections and includes an education program to address water quality/urban runoff principles, habitats, alternative pest control strategies, and an anti-liter campaign.

The 2000-2001 Budget Act (by trailer bill) delineated Proposition 13 rules, including that all projects must be completed and closed out by June 30, 2006. To date, the City has not been able to start the project because of delays by the State in issuing the grant contract. The State will not reimburse City costs if those costs were incurred prior to an executed agreement.

The Chollas Creek Water Quality Protection and Habitat Enhancement project was developed as a 3-year project and cannot be done in less time. Therefore, the June 30, 2006 deadline for the project completion can no longer be met.

There is a lot of support for the project including the Mayor's Clean Water Task Force. The City would like to see the Chollas Creek Water Quality Protection and Habitat Enhancement project to go forward. The Mayor held a press conference announcing the project to be funded by Proposition 13 funds last summer.

Proposal

Amend the Proposition 13 schedule restrictions with legislation so that they do not apply to the Chollas Creek Water Quality Protection and Habitat Enhancement project.

- Specify what sections of state law require amendment
 - Water Code, Section 79114 (h)
- Provide specific amendment language you seek
 - Water Code, Section 79114 (i) is added to read: Grant recipients shall have three (3) years from the date of an executed grant agreement with the Board to expend grant funds.

Strategy

Supporters include project partners San Diego BayKeeper and the Environmental Health Coalition. San Diego BayKeeper has connections with Assemblyman Juan Vargas.

There are likely other Proposition 13 funded projects throughout the State that cannot meet the June 30, 2003 deadline.